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 UNITED STATES OF AMERICA

SEALED
BY ORDER OF THE COURT
 UNITED STATES DISTRICT COURT
 DISTRICT OF HAWAII

MAR 22 2001

at 11 o'clock and 10 min. AM
 WALTER A. Y. N. CHINN, CLERK

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

| | | |
|---|---------|--|
| UNITED STATES OF AMERICA, |) | CR. NO. CR 01-00099 HG |
| Plaintiff, |) | INDICTMENT |
| V. |) | [21 U.S.C. §§ 846, 843(b), & 841(a)(1)] |
| CHARLES K. HEW-LEN, a.k.a. "Phung," | (01),) | |
| SHAWN POWELL, a.k.a. "Shawn Avilla," | (02),) | |
| MICHAEL R. BECKER, | (03),) | |
| DANIEL KAHEAKU, | (04),) | |
| DANIEL J. PACYAO, | (05),) | |
| DESTANIE P.K. HEW-LEN, | (06),) | |
| DESIREE HIGA, | (07),) | |
| MICHAEL B. DE KNEEF, | (08),) | |
| DARRYL W. OGAWA, JR., | (09),) | |
| CHICO MARTINES, | (10),) | |
| Defendants. |) | |

INDICTMENT

COUNT 1

The Grand Jury charges that:

From on or about September 2000, and continuing thereafter up to and including March 21, 2001, in the District of Hawaii and elsewhere, the defendants CHARLES K. HEW-LEN, a.k.a. "Phung,"; SHAWN POWELL, a.k.a. "Shawn Avilla,"; MICHAEL R. BECKER; DANIEL KAHEAKU; DANIEL J. PACYAO; DESTANIE P.K. HEW-LEN; DESIREE HIGA; MICHAEL B. DE KNEEF; DARRYL W. OGAWA, JR.,; and CHICO MARTINES, did conspire together with each other and with other persons unknown to the Grand Jury, to commit offenses against the United States, that is, to knowingly and intentionally distribute and possess with intent to distribute a quantity of crystal methamphetamine—"ice," in excess of 50 grams, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

OVERT ACTS

In furtherance of the conspiracy and to effect the objectives thereof, the co-conspirators performed the following acts, among others, in the District of Hawaii:

1. On or about November 1, 2000, defendant SHAWN POWELL, a.k.a. "Shawn Avilla," spoke on the telephone with defendant CHARLES K. HEW-LEN, a.k.a. "Phung," concerning the transfer of a quantity of crystal methamphetamine.

2. On or about November 2, 2000, defendant SHAWN POWELL, a.k.a. "Shawn Avilla," spoke on the telephone with another individual concerning the distribution of a quantity of crystal methamphetamine.

3. On or about November 21, 2000, defendant DANIEL KAHEAKU telephoned defendant CHARLES K. HEW-LEN, a.k.a. "Phung," and discussed the purchase of a quantity of crystal methamphetamine.

4. On or about November 22, 2000, defendant DESTANIE P.K. HEW-LEN spoke on the telephone with defendant CHARLES K. HEW-LEN, a.k.a. "Phung," about the distribution of a quantity of crystal methamphetamine.

5. On or about November 24, 2000, defendant DANIEL KAHEAKU telephoned defendant CHARLES K. HEW-LEN, a.k.a. "Phung," and discussed the purchase of a quantity of crystal methamphetamine.

6. On or about November 26, 2000, defendant CHARLES K. HEW-LEN, a.k.a. "Phung," telephoned defendant MICHAEL R. BECKER and discussed a transfer of a quantity of crystal methamphetamine.

7. On or about November 28, 2000, defendant DANIEL KAHEAKU telephoned defendant CHARLES K. HEW-LEN, a.k.a. "Phung," and discussed a purchase of a quantity of crystal methamphetamine.

8. On or about November 29, 2000, defendant SHAWN POWELL, a.k.a. "Shawn Avilla," telephoned defendant CHARLES K. HEW-LEN, a.k.a. "Phung," and discussed a purchase of a quantity of crystal methamphetamine.

9. On or about November 29, 2000, defendant MICHAEL R. BECKER traveled from San Francisco, California to Honolulu, Hawaii.

10. On or about November 29, 2000, defendant DANIEL J. PACYAO telephoned defendant CHARLES HEW-LEN, a.k.a. "Phung."

11. On or about November 30, 2000, defendant SHAWN POWELL, a.k.a. "Shawn Avilla," telephoned defendant CHARLES K. HEW-LEN, a.k.a. "Phung."

12. On or about November 30, 2000, defendant CHICO MARTINES telephoned defendant SHAWN POWELL, a.k.a. "Shawn Avilla."

13. On or about December 1, 2000, defendant SHAWN POWELL, a.k.a. "Shawn Avilla," telephoned defendant CHARLES K. HEW-LEN, a.k.a. "Phung."

14. On or about December 1, 2000, defendant CHARLES K. HEW-LEN, a.k.a. "Phung," telephoned defendant MICHAEL R. BECKER.

15. On or about December 6, 2000, defendant CHARLES K. HEW-LEN, a.k.a. "Phung," telephoned defendant DANIEL J. PACYAO and discussed the transfer of a quantity of money.

16. On or about December 6, 2000, defendant CHARLES K. HEW-LEN, a.k.a. "Phung," telephoned defendant DESTANIE P.K. HEW-LEN and discussed a meeting in the Salt Lake District Park.

17. On or about December 6, 2000, defendant CHARLES K. HEW-LEN, a.k.a. "Phung," telephoned defendant DANIEL J. PACYAO and directed PACYAO to go to the park in Salt Lake.

18. On or about December 6, 2000, defendant DESTANIE P.K. HEW-LEN went to the Salt Lake District Park.

19. On or about December 9, 2000, defendant DESIREE HIGA telephoned defendant CHARLES K. HEW-LEN, a.k.a. "Phung," and requested that he provide her with a quantity of crystal methamphetamine.

20. On or about December 17, 2000, defendant CHARLES K. HEW-LEN, a.k.a. "Phung," spoke on the telephone with defendant DANIEL J. PACYAO concerning a quantity of money.

21. On or about January 13, 2001, defendant MICHAEL DE KNEEF telephoned defendant DANIEL J. PACYAO and inquired how to contact defendant CHARLES K. HEW-LEN, a.k.a. "Phung."

22. On or about January 12, 2001, defendant MICHAEL DE KNEEF telephoned defendant DANIEL J. PACYAO and discussed meeting at Longs' in Pearl City to consummate a drug transaction.

23. On or about January 16, 2001, defendant DARRYL W. OGAWA, JR., telephoned defendant DANIEL J. PACYAO and discussed the distribution of a quantity of crystal methamphetamine—"ice."

24. On or about January 17, 2001, defendant DANIEL J. PACYAO meet with defendant CHARLES K. HEW-LEN, a.k.a. "Phung," and then met with defendant DARRYL W. OGAWA, JR.

25. On or about January 20, 2001, defendant DARRYL W. OGAWA, JR., telephoned defendant DANIEL J. PACYAO and discussed the transfer of a quantity of crystal methamphetamine.

26. On or about January 24, 2001, defendant MICHAEL DE KNEEF telephoned defendant DANIEL J. PACYAO and discussed meeting to consummate a drug transaction.

27. On or about January 24, 2001, defendant MICHAEL DE KNEEF telephoned defendant DANIEL J. PACYAO and discussed the quality of the drugs.

28. On or about January 25, 2001, defendant MICHAEL DE KNEEF telephoned defendant DANIEL J. PACYAO and discussed a meeting with PACYAO.

29. On or about February 28, 2000[¶], defendant CHARLES K. HEW-LEN, a.k.a. "Phung," met with three individuals in the Kalihi section of Honolulu.

30. On or about February 28, 2001, defendant SHAWN POWELL, a.k.a. "Shawn Avilla," telephoned defendant CHARLES K. HEW-LEN, a.k.a. "Phung," and discussed the distribution of a quantity of crystal methamphetamine—"ice."

31. On or about February 28, 2001, defendant CHARLES K. HEW-LEN, a.k.a. "Phung," telephoned defendant MICHAEL R. BECKER and discussed the delivery of a quantity of crystal methamphetamine.

32. On or about March 1, 2001, defendant MICHAEL R. BECKER telephoned defendant CHARLES K. HEW-LEN, a.k.a. "Phung," and discussed the delivery of a quantity of crystal methamphetamine—"ice."

33. On or about March 1, 2001, defendant MICHAEL R. BECKER telephoned defendant CHARLES K. HEW-LEN, a.k.a. "Phung," and discussed the delivery of a quantity of crystal methamphetamine to defendant DESTANIE P.K. HEW-LEN's residence at 3130 Ala Ilima Street in Honolulu.

34. On or about March 1, 2001, defendant DANIEL J. PACYAO drove to defendant CHARLES K. HEW-LEN's residence at 3130 Ala Ilima Boulevard in Salt Lake area of Honolulu.

35. On or about March 1, 2001, defendant MICHAEL R. BECKER transferred a quantity of crystal methamphetamine in excess of 50 grams to defendant CHARLES K. HEW-LEN, a.k.a. "Phung."

36. On or about March 1, 2001, defendant CHARLES K. HEW-LEN, a.k.a. "Phung," transported a quantity of crystal methamphetamine in excess of 50 grams in a Mercedes Benz automobile.

37. On or about March 1, 2001, defendant MICHAEL R. BECKER telephoned defendant CHARLES K. HEW-LEN, a.k.a. "Phung," and discussed defendant HEW-LEN's arrest by the Honolulu Police Department.

38. On or about March 1, 2001, defendant DESTANIE P.K. HEW-LEN telephoned defendant CHARLES K. HEW-LEN, a.k.a. "Phung," and discussed CHARLES K. HEW-LEN'S arrest by the Honolulu Police Department.

39. On or about March 1, 2001, defendant CHARLES K. HEW-LEN, a.k.a. "Phung," spoke on the telephone to defendant DESIREE HIGA and explained his arrest by the Honolulu Police Department.

40. On or about March 1, 2001, defendant CHARLES K. HEW-LEN telephoned defendant DARRYL W. OGAWA, JR., and warned OGAWA to be quiet following defendant HEW-LEN's arrest by the Honolulu Police Department.

41. On or about March 1, 2001, defendant CHARLES K. HEW-LEN, a.k.a. "Phung," spoke on the telephone with defendant SHAWN POWELL, a.k.a. "Shawn Avilla," and discussed HEW-LEN's arrest by the Honolulu Police Department.

42. On or about March 2, 2001, defendant CHARLES K. HEW-LEN, a.k.a. "Phung," spoke on the telephone with defendant DANIEL KAHEAKU regarding KAHEAKU's efforts to obtain information concerning HEW-LEN's arrest.

43. On or about March 3, 2001, the defendant CHARLES K. HEW-LEN, a.k.a. "Phung," spoke on the telephone with defendant SHAWN POWELL, a.k.a. "Shawn Avilla," concerning HEW-LEN's arrest by the Honolulu Police Department.

44. On or about March 5, 2001, defendant CHARLES K. HEW-LEN, a.k.a. "Phung," spoke on the telephone with defendant MICHAEL DE KNEEF concerning HEW-LEN's arrest by the Honolulu Police Department.

45. On or about March 5, 2001, defendant MICHAEL DE KNEEF telephone defendant CHARLES K. HEW-LEN, a.k.a. "Phung," and discussed HEW-LEN's arrest by the Honolulu Police Department.

46. On or about March 7, 2001, defendant SHAWN POWELL a.k.a. "Shawn Avilla," spoke on the telephone with defendant CHARLES K. HEW-LEN, a.k.a. "Phung," concerning HEW-LEN's arrest by the Honolulu Police Department.

47. On or about March 8, 2001, defendant CHARLES K. HEW-LEN, a.k.a. "Phung," spoke with defendant MICHAEL R. BECKER regarding efforts to be taken to detect law enforcement investigations against them.

48. On or about March 8, 2001, defendant DARRYL W. OGAWA, JR., telephoned defendant CHARLES K. HEW-LEN, a.k.a. "Phung," and told HEW-LEN to meet with him.

All in violation of Title 21, United States Code
Section 846.

COUNT 2

The Grand Jury further charges that:

On or about November 21, 2000, in the District of Hawaii, defendants DANIEL KAHEAKU and CHARLES K. HEW-LEN, a.k.a. "Phung," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to distribute a quantity of crystal methamphetamine—"ice", a controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 3

The Grand Jury further charges:

On or about November 22, 2000, in the District of Hawaii, defendants DESTANIE P.K. HEW-LEN and CHARLES K. HEW-LEN, a.k.a. "Phung," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to distribute a quantity of crystal methamphetamine—"ice", a controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 4

The Grand Jury further charges:

On or about November 24, 2000, in the District of Hawaii, defendants DANIEL KAHEAKU and CHARLES K. HEW-LEN, a.k.a. "Phung," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to distribute a quantity of crystal methamphetamine—"ice", a controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 5

The Grand Jury further charges:

On or about November 26, 2000, in the District of Hawaii, defendants MICHAEL R. BECKER and CHARLES K. HEW-LEN, a.k.a. "Phung," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to distribute a quantity of crystal methamphetamine—"ice", a controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 6

The Grand Jury further charges:

On or about November 28, 2000, in the District of Hawaii, defendants SHAWN POWELL, a.k.a. "Shawn Avilla," and CHARLES K. HEW-LEN, a.k.a. "Phung," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to distribute a quantity of crystal methamphetamine—"ice", a controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 7

The Grand Jury further charges:

On or about November 28, 2000, in the District of Hawaii, defendants DANIEL J. PACYAO and CHARLES K. HEW-LEN, a.k.a. "Phung," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to distribute a quantity of crystal methamphetamine—"ice", a controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 8

The Grand Jury further charges:

On or about November 30, 2000, in the District of Hawaii, defendants SHAWN POWELL, a.k.a. "Shawn Avilla," and CHARLES K. HEW-LEN, a.k.a. "Phung," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to distribute a quantity of crystal methamphetamine—"ice", a controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 9

The Grand Jury further charges:

On or about November 30, 2000, in the District of Hawaii, defendants CHICO MARTINES did knowingly and intentionally possess with intent to distribute a quantity of crystal methamphetamine—"ice," a Schedule II controlled substance, in excess of 50 grams in violation of Title 21, United States Code, Section 841(a)(1).

COUNT 10

The Grand Jury further charges:

On or about November 30, 2000, in the District of Hawaii, defendants CHICO MARTINES and SHAWN POWELL, a.k.a. "Shawn

Avilla," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to distribute a quantity of crystal methamphetamine—"ice", a controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 11

The Grand Jury further charges:

On or about December 1, 2000, in the District of Hawaii, defendants MICHAEL R. BECKER and CHARLES K. HEW-LEN, a.k.a. "Phung," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to distribute a quantity of crystal methamphetamine—"ice", a controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 12

The Grand Jury further charges:

On or about December 1, 2000, in the District of Hawaii, defendants SHAWN POWELL, a.k.a. "Shawn Avilla," and CHARLES K. HEW-LEN, a.k.a. "Phung," used and caused to be used a communications facility, that is, a telephone, in causing or

facilitating the commission of a conspiracy to distribute a quantity of crystal methamphetamine—"ice", a controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 13

The Grand Jury further charges:

On or about December 6, 2000, in the District of Hawaii, defendants DESTANIE P.K. HEW-LEN and CHARLES K. HEW-LEN, a.k.a. "Phung," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to distribute a quantity of crystal methamphetamine—"ice", a controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 14

The Grand Jury further charges:

On or about December 6, 2000, in the District of Hawaii, defendants DANIEL J. PACYAO and CHARLES K. HEW-LEN, a.k.a. "Phung," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to distribute a quantity of crystal

methamphetamine—"ice", a controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 15

The Grand Jury further charges:

On or about December 9, 2000, in the District of Hawaii, defendants DESIREE HIGA and CHARLES K. HEW-LEN, a.k.a. "Phung," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to distribute a quantity of crystal methamphetamine—"ice", a controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 16

The Grand Jury further charges:

On or about December 9, 2000, in the District of Hawaii, defendants DESIREE HIGA and CHARLES K. HEW-LEN, a.k.a. "Phung," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to distribute a quantity of crystal

methamphetamine—"ice", a controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 17

The Grand Jury further charges:

On or about January 13, 2001, in the District of Hawaii, defendants MICHAEL DE KNEEF and DANIEL J. PACYAO used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to distribute a quantity of crystal methamphetamine—"ice", a controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 18

The Grand Jury further charges:

On or about January 15, 2001, in the District of Hawaii, defendants DANIEL J. PACYAO and CHARLES K. HEW-LEN, a.k.a. "Phung," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to distribute a quantity of crystal

methamphetamine—"ice", a controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 19

The Grand Jury further charges:

On or about January 16, 2001, in the District of Hawaii, defendants DARRYL W. OGAWA, JR., and DANIEL J. PACYAO used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to distribute a quantity of crystal methamphetamine—"ice", a controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 20

The Grand Jury further charges:

On or about January 20, 2001, in the District of Hawaii, defendants DARRYL W. OGAWA, JR., and DANIEL J. PACYAO used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to distribute a quantity of crystal methamphetamine-

"ice", a controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 21

The Grand Jury further charges:

On or about January 24, 2001, in the District of Hawaii, defendants MICHAEL DE KNEEF and DANIEL J. PACYAO used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to distribute a quantity of crystal methamphetamine-"ice", a controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 22

The Grand Jury further charges:

On or about February 28, 2001, in the District of Hawaii, defendants SHAWN POWELL, a.k.a. "Shawn Avilla," and CHARLES K. HEW-LEN, a.k.a. "Phung," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to distribute a quantity of crystal methamphetamine-"ice", a controlled

substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 23

The Grand Jury further charges:

On or about February 28, 2001, in the District of Hawaii, defendants MICHAEL R. BECKER and CHARLES K. HEW-LEN, a.k.a. "Phung," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to distribute a quantity of crystal methamphetamine—"ice", a controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 24

The Grand Jury further charges:

On or about March 1, 2001, in the District of Hawaii, defendants MICHAEL R. BECKER and CHARLES K. HEW-LEN, a.k.a. "Phung," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to distribute a quantity of crystal methamphetamine—"ice", a controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code,
Section 843(b).

COUNT 25

The Grand Jury further charges:

On or about March 1, 2001, in the District of Hawaii,
defendants MICHAEL R. BECKER and CHARLES K. HEW-LEN, a.k.a.
"Phung," did knowingly and intentionally aid and abet each other
in possessing with intent to distribute a quantity of crystal
methamphetamine—"ice," in excess of 50 grams, to wit,
approximately two pounds of crystal methamphetamine—"ice," a
Schedule II controlled substance.

All in violation of Title 21, United States Code,
Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT 26

The Grand Jury further charges:

On or about March 1, 2001, in the District of Hawaii,
defendants MICHAEL R. BECKER and CHARLES K. HEW-LEN, a.k.a.
"Phung," used and caused to be used a communications facility,
that is, a telephone, in causing or facilitating the commission
of a conspiracy to distribute a quantity of crystal
methamphetamine—"ice", a controlled substance, a felony under
Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code,
Section 843(b).

COUNT 27

The Grand Jury further charges:

On or about March 1, 2001, in the District of Hawaii, defendants DESTANIE P.K. HEW-LEN and CHARLES K. HEW-LEN, a.k.a. "Phung," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to distribute a quantity of crystal methamphetamine—"ice", a controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 28

The Grand Jury further charges:

On or about March 1, 2001, in the District of Hawaii, defendants DESIREE HIGA and CHARLES K. HEW-LEN, a.k.a. "Phung," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to distribute a quantity of crystal methamphetamine—"ice", a controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 29

The Grand Jury further charges:

On or about March 1, 2001, in the District of Hawaii, defendants DARRYL W. OGAWA, JR., and CHARLES K. HEW-LEN, a.k.a. "Phung," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to distribute a quantity of crystal methamphetamine—"ice", a controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 30

The Grand Jury further charges:

On or about March 1, 2001, in the District of Hawaii, defendants SHAWN POWELL, a.k.a. "Shawn Avilla," and CHARLES K. HEW-LEN, a.k.a. "Phung," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to distribute a quantity of crystal methamphetamine—"ice", a controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 31

The Grand Jury further charges:

On or about March 2, 2001, in the District of Hawaii, defendants DANIEL KAHEAKU and CHARLES K. HEW-LEN, a.k.a. "Phung," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to distribute a quantity of crystal methamphetamine- "ice", a controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 32

The Grand Jury further charges:

On or about March 8, 2001, in the District of Hawaii, defendants DANIEL KAHEAKU and CHARLES K. HEW-LEN, a.k.a. "Phung," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to distribute a quantity of crystal methamphetamine- "ice", a controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 33

The Grand Jury further charges:

On or about March 8, 2001, in the District of Hawaii, defendants MICHAEL R. BECKER and CHARLES K. HEW-LEN, a.k.a. "Phung," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to distribute a quantity of crystal methamphetamine—"ice", a controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

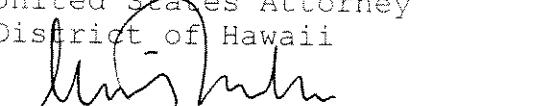
DATED: March 22, 2001, at Honolulu, Hawaii.

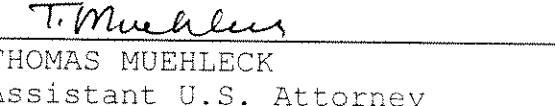
A TRUE BILL

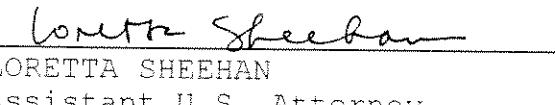
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FOREPERSON, GRAND JURY


STEVEN S. ALM
United States Attorney
District of Hawaii


ELLIOT ENOKI
First Assistant U.S. Attorney


THOMAS MUEHLECK
Assistant U.S. Attorney


LORETTA SHEEHAN
Assistant U.S. Attorney

United States v. Hew-Len, et. al.,
CR. No. _____
Indictment